Netflix, Inc. v. Blockbuster, Inc.

Doc. 101 Att. 8

#### EXHIBIT 7 (Part 2 of 3)

CLAIMLANGUAGE	bin/blockbuster.cfg/php/enduser/std_alp.php?
7. A computer-implemented method as	7. BLOCKBUSTER Online® provides that "delivery and return of your BLOCKBUSTER Online Rentals will
recited in Claim 1, wherein the delivery	be via U.S. Postal Service ("USPS")."
of the selected movie comprises delivery by mail.	Denvery and Keturn of Kented DVDs, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
8. A computer-implemented method as	8. BLOCKBUSTER Online® ships optical media (i.e. DVDs) "via U.S. Postal Service ("USPS")."
recited in Claim 1, wherein the delivery	Delivery and Return of Rented DVDs, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
of the selected movie comprises delivery	
by mail on one or more optical media.	
9. A computer-implemented method as	9. Receipt of a returned movie by mail is a delivery criteria.
recited in Claim 1, wherein the delivery	
criteria comprises receipt of the movie by	Unlimited DVD Rentals
mail.	For only \$17.99 a month (plus taxes) you can rent all the movies you want. Have up to 3
	DVDS out at a time. Neep the DVDs as long as you want. When you're done with a DVD, just send it back in the provided postage paid envelope. We'll send you another selection from
	your rental queue. Keep your queue full and keep the movies coming.
	"How it Works", at
	http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmor
	e&nav=false&cctr=homehowitworks
	Date Greated How do I report DVD Issues: did not receive a DVD my DVD has not
	่ 06/03/2004 ประการ been received, my DVD is damaged?
	Last Updated
	03/16/2006 08/42 AM   Uuestron
	How do I report an issue with a DVD?
	and the second s
	Ernail Amswer
•	This that we shipped aller 5 business days.
	Make Sure volu are loaged into our website, on to My Acchinit and select Renny DVD leaner
	This function will allow you to have the same title resent, or the next available title in your
	queue sent, and help us follow up with the postal service. In cases where you have returned a
	DVD and it has not been received by our return center, it will allow the next DVD in your queue. To be shipped
	"Frequently Asked Questions," at http://blockbuster.custhelp.com/cgi-
	olin/blockouster.cig/php/enduser/std_alp.php/

CEAIMLANGUAGE	ACCUSED METHODS/SYSTEMS
10. A computer-implemented method as recited in Claim 1, wherein a number of movies delivered to the customer and not	10. BLOCKBUSTER Online® requires that that the number of movies delivered to the customer and not yet returned does not exceed the specified number of outstanding rentals allowed.
yet returned does not exceed the specified number.	"If you have the maximum number of BLOCKBUSTER Online Rentals allowed by your plan checked out, no additional movies will be shipped until you return one or more of the BLOCKBUSTER Online Rentals."  Selection and Allocation of Product, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
11. A method as recited in claim 1, wherein the other electronic digital information indicates one or more delivery criteria being satisfied.	11. In response to an indication that one or more delivery criteria has been satisfied (e.g. problem notifications that a DVD is damaged, unplayable, or never received), BLOCKBUSTER Online® electronically updates the movie rental queue.
	Date Created  How do I report DVD Issues: did not receive a DVD, my DVD has not been received, my DVD is damaged?  Last Updated  Ouestion  How do I report an issue with a DVD?  Answer  You may report a DVD issue if a DVD?  Answer  You may report a DVD issue if a DVD is damaged or unplayable. You may also report the issue if a title does not show as checked in after 3 business days, or you have not received a title that we shipped after 3 business days.  Make sure you are logged into our website, go to My Account, and select Report DVD Issues. This function will allow you to have the same ittle resent, or the next available title in your queue sent, and help us follow up with the postal sewice. In cases where you have returned a
	DVD and it has not been received by our return center, it will allow the next DVD in your queue to be shipped  "Frequently Asked Questions," at http://blockbuster.custhelp.com/cgibin/blockbuster.cfg/php/enduser/std_alp.php?
12. A method as recited in claim 1, wherein the other electronic digital information comprises one or more selection criteria.	12. In response to receiving one or more selection criteria (e.g. an additional selected DVD title), BLOCKBUSTER Online® electronically updates the movie rental queue.

CEAIM LANGUAGE	ACCUSED METHODS/SYSTEMS ************************************
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13. A method as recited in claim 1, wherein the movies comprise any of	13. BLOCKBUSTER Online® offer a wide array of movie genres to rent.
motion pictures, television series, documentaries, cartoons, music videos, video recordings of concert performances, instructional programs,	More Than 50,000 Titles, Including New Releases Our online DVD library has more than 50,000 titles, and it's growing every week. You'll find classic cinema, modern favorites, television shows, children's programming, health and fitness workouts, and, of course, the hottest new releases you've come to expect from BLOCKBUSTER.
and educational programs.	See "How it Works", at http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmor e&nav=false&cctr=homehowitworks
14. A computer-implemented method	14. See Contention 1.
for renting movies to customers, the method comprising:	
providing electronic digital information that causes one or more attributes of movies to be displayed;	14a. See Contention 1a.
establishing, in electronic digital form, from electronic digital information	14b. See Contention 1b.
received over the Internet, a movie rental queue associated with a customer	
comprising an ordered list indicating two or more movies for renting to the	
causing to be delivered to the customer up to a specified number of movies based upon the order of the list, wherein the	14c. BLOCKBUSTER Online® does not require the customer to return the movies within a specified time associated with delivery.

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
customer is not required to return the	"You may keep BLOCKBUSTER Online Rentals as long as you choose during your Membership Term, for no
movies within a specified time associated with delivery;	charge other than the applicable periodic [membership fee]." Membership Plans, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
	No Return Dates
	never any due dates. Watch the DVD when it's convenient for you and send it back only when you are ready for a new selection.
	See "How it Works", at
	http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmore&nav=false&cctr=homehowitworks
in response to one or more delivery	14d. See Contention 1d.
criteria being satisfied, selecting another	
movie based upon the order of the list	
and causing the selected movie to be	
delivered to the customer; and	H
in response to other electronic digital	14e. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
15. A computer-implemented method as	15. See Contention 2.
recited in Claim 14, wherein updating the	
movie rental queue comprises changing	
the order of the two or more movies for	
renting to the customer.	- 1
ro. A computer-implemented method as recited in Claim 14 wherein undating the	16. See Contention 3.
movie rental queue comprises indicating	
an additional movie in the ordered list.	
17. A computer-implemented method as	17. See Contention 4.
recited in Claim 14, wherein updating the	
movie rental queue comprises removing	
an indication of one or more of the	
movies from the ordered list.	
18. A computer-implemented method as recited in Claim 14, wherein the two or	18. See Contention 5.

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
more movies for renting to the customer	
are selected by the customer.	
S1	19. See Contention 6.
recited in Claim 14, further comprising	
determining the order of the two or more	
movies based upon one or more	
preferences of the customer.	
	20. See Contention 7.
recited in Claim 14, wherein the delivery	
of the selected movie comprises delivery	
by mail.	
	21. See Contention 8.
recited in Claim 14, wherein the delivery	•
of the selected movie comprises delivery	
by mail on one or more optical media.	
	22. See Contention 9.
recited in Claim 14, wherein the delivery	
criteria comprises receipt of the movie by	
	23. See Contention 10.
moving delinered to the	
movies delivered to the customer and not	
yet returned does not exceed the	
Ť	
<u></u>	24. See Contention 1.
lor renting movies to customers, the	
method comprising:	
on	24a. See Contention 1a.
that causes one or more attributes of	
movies to be displayed;	
orm,	24b. See Contention 1b.
from electronic digital information	
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
or more movies for renting to the	
customer;	
causing to be delivered to the customer	24c. BLOCKBUSTER Online® does not a fee for retaining one of more movies beyond a specified time
up to a specified number of movies based	associated with delivery beyond the applicable monthly subscription rate.
upon the order of the list, wherein the	
customer is not charged a fee for	"You may keep BLOCKBUSTER Online Rentals as long as you choose during your Membership Term, for no
retaining one or more movies beyond a specified time associated with delivery:	charge other than the applicable periodic [membership fee]." Membership Plans, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
Profitted unite associated with delivery,	
	No Extended Viewing Fees or Late Fees
	As a BLOCKBUSTER Online® rental member, you pay a flat monthly rate. There are no extended viewing fees or late fees on DVDs rented online.
	See "How it Works", at
	http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmor
	e&nav=false&cctr=homehowitworks
in response to one or more delivery	24d. See Contention 1d.
criteria being satisfied, selecting another	
movie based upon the order of the list	
and causing the selected movie to be	
delivered to the customer; and	
in response to other electronic digital	24e. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
25. A computer-implemented method as	25. See Contention 2.
recited in Claim 24, wherein updating the	
movie rental queue comprises changing	
the order of the two or more movies for	
renting to the customer.	
26. A computer-implemented method as	26. See Contention 3.
recited in Claim 24, wherein updating the	
movie rental queue comprises indicating	
an additional movie in the ordered list.	
27. A computer-implemented method as	27. See Contention 4.
recited in Claim 24, wherein updating the	

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
movie rental queue comprises removing	
an indication of one or more of the	
20 A	- 1
28. A computer-implemented method as	28. See Contention 5.
more movies for renting to the customer	
are selected by the customer.	
29. A computer-implemented method as	29. See Contention 6.
recited in Claim 24, further comprising	
determining the order of the two or more	
movies based upon one or more	
of A tribes of the customer.	
30. A computer-implemented method as	30. See Contention 7.
of the selected movie comprises delivery	
by mail.	
31. A computer-implemented method as	31. See Contention 8.
recited in Claim 24, wherein the delivery	
of the selected movie comprises delivery	
by mail on one or more optical media.	
32. A computer-implemented method as	32. See Contention 9.
recited in Claim 24, wherein the delivery	
criteria comprises receipt of the movie by	
33. A computer-implemented method as	33 See Contention 10
recited in Claim 24, wherein a number of	
movies delivered to the customer and not	
yet returned does not exceed the	
specified number.	
34. A computer-implemented method	34. See Contention 1.
Ior renting movies to customers, the method comprising:	
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CEAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
establishing over the Internet a rental	34a. BLOCKBUSTER Online® requires customers to enter into an online rental agreement that provides for
agreement with a customer that provides	charging the customer a periodic fee.
to charging the customer a periodic tee,	(W)
	If ou agree to pay the applicable periodic membership fees (plus taxes) in accordance with your Payment Method issuer agreement, if applicable." How to Subscribe, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
providing electronic digital information	34b. See Contention 1a.
that causes one or more attributes of	
movies to be displayed;	
establishing, in electronic digital form,	34b. See Contention 1b.
from electronic digital information	
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	
or more movies for renting to the	
customer;	
causing to be delivered to the customer	34c. See Contention 1c.
up to a specified number of movies based	
upon the order of the list;	
in response to one or more delivery	34d. See Contention 1d.
criteria being satisfied, if the customer is	
current on the periodic fee, selecting	
another movie based upon the order of	
the list and causing the selected movie to	
be delivered to the customer; and	
in response to other electronic digital	34e. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
35. A computer-implemented method as recited in Claim 34 wherein underting the	35. See Contention 2.
movie rental quene comprises changing	
the order of the two or more movies for	
renting to the customer.	
36. A computer-implemented method as	36. See Contention 3.

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ACCUSED METHODS/SYSTEMS																														
		37. See Contention 4.				38. See Contention 5.				39. See Contention 6.						40. See Contention 7.			41. See Contention 8.				42. See Contention 9.			43 See Contention 10				
recited in Claim 34, wherein updating the	movie rental queue comprises indicating an additional movie in the ordered list.	37. A computer-implemented method as	recited in Claim 34, wherein updating the	movie rental queue comprises removing an indication of one or more of the	movies from the ordered list.	38. A computer-implemented method as	recited in Claim 34, wherein the two or	more movies for renting to the customer	are selected by the customer.	39. A computer-implemented method as	recited in Claim 34, further comprising	determining the order of the two or more	movies indicated by the movie rental	queue based upon preferences of the	customer.	40. A computer-implemented method as	of the colored mercin of the delivery	of the selected movie comprises delivery by mail.	$\vdash$	recited in Claim 34, wherein the delivery	of the selected movie comprises delivery	+	s,	of the movie previously, delivered to the	customer comprises receipt by mail	od as	_	movies delivered to the customer and not	yet returned does not exceed the	Specifica mannon.

CEAIN LANGUAGE	ACCUSED MICHEURS ACCUSED MICHEURS
44. A computer system for renting	44. BLOCKBUSTER Online® employs a computer-system for renting movies to customers.
movies to customers, comprising:	
a computer that is coupled to a digital telecommunications network by a digital	44a. BLOCKBUSTER Online®'s computer system comprises a computer that is coupled to digital
telecommunications link;	CICCOLLINGUIS LICEWOLK OY & CILISTOLLINGUIS CONTINUINCALIONS LINK.
an electronic digital memory in the	44b. BLOCKBUSTER Online® computer system comprises an electronic digital memory in the computer.
computer,	THE STATE OF THE S
one or more sequences of computer	44c. BLOCKBUSTER Online®'s computer system comprises one or more sequences of computer program
program instructions stored in the	instructions stored in the electronic digital memory which, when executed, cause the computer(s) to perform the
executed, cause the computer to perform	steps incressary to racilitate the DVD rental service as described above in claim 1.
the steps of:	
providing electronic digital information	44d. See Contention 1a.
that causes one or more attributes of	
movies to be displayed;	
establishing, in electronic digital form,	44e. See Contention 1b.
from electronic digital information	
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	
or more movies for renting to the	
customer;	
causing to be delivered to the customer	44f. See Contention 1c.
up to a specified number of movies based	
upon the order of the list;	
in response to one or more delivery	44g. See Contention 1d.
criteria being satisfied, selecting another	
movie based upon the order of the list	
and causing the selected movie to be	
delivered to the customer; and	
in response to other electronic digital	44h. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
45. A computer system as recited in	45. See Contention 2.

CLAIMLANGUAGE	ACGUSED METHODS/SYSTEMS
Claim 44, wherein the other electronic	
digital information specifies changing the	
order of the two or more movies for	
renting to the customer.	
46. A computer system as recited in	46. See Contention 3.
Claim 44, wherein the other electronic	
digital information specifies an	
additional movie to add to the ordered	
list.	
47. A computer system as recited in	47. See Contention 4.
Claim 44, wherein the other electronic	
digital information specifies removing an	
indication of one or more of the movies	
from the ordered list.	
48. A computer system as recited in	48. See Contention 7.
Claim 44, wherein the delivery of the	
selected movie comprises delivery by	
mail.	
49. A computer system as recited in	49. See Contention 8.
Claim 44, wherein the delivery of the	
selected movie comprises delivery by	
mail on one or more optical media.	
50. A computer system as recited in	50. See Contention 9.
Claim 44, wherein the delivery criteria	
comprise receipt by mail.	
51. A computer system as recited in	51. See Contention 10.
Claim 44, wherein a number of movies	
delivered to the customer and not yet	
returned does not exceed the specified	
number.	

**EXHIBIT B** 

# U.S. PATENT NO. 6,584,450

CLAINTLANGUAGE	ACCUSED MIETHODS
1. A method for renting items to	1. BLOCKBUSTER Online® (the accused instrumentality) employs a computer-implemented method for renting
customers, the method comprising the computer-implemented steps of:	DVDs to customers.
	See www.blockbuster.com
receiving one or more item selection criteria that indicates two or more items	1a. BLOCKBUSTER Online® receives one or more item selection criteria (e.g., DVD title selections) from customers that indicate two or more DVDs the customer to rent
that a customer desires to rent;	
	Date Creates How do I manage My Queue?
	Last Updated Need more info Managing My Queue?
	16
	"Update Quete".
	"Frequently Asked Questions," at http://blockbuster.custhelp.com/cgi-
	bin/blockbuster.cfg/php/enduser/std_alp.php?
providing to the customer up to a specified number of the two or more items indicated	1b. BLOCKBUSTER Online® provides to the customer up to a specified number of the DVDs selected by the customer.
by the one or more item selection criteria;	
and	"BLOCKBUSTER Online® will automatically ship titles to a [customer] up to a [customer's] maximum number
	of ourstanding BLOCKBOSIER Online® Kentals, from and in the order that [customers] have listed in [their] rental queue, subject to availability." Selection and Allocation of Product RI OCKBISTER Online® RENTAL
	TERMS AND CONDITIONS.
in response to receiving any of the items	1c. In response to receiving any of the items provided to the customer, BLOCKBUSTER Online® sends to the
provided to the customer, providing to the customer one or more other items indicated	customer other DVD titles selected by the customer wherein the total current number DVD titles provided to the
by the one or more item selection criteria,	castonica does not execed the specified number of outstanding fentals allowed.
wherein a total current number of items	
provided to the customer does not exceed the specified number	For only \$17,99 a month (plus taxes) you can rent all the movies you want. Have up to 3 DVDs out at a time. Keep the DVDs as long as you want. When you're done with a DVD inst
	send it back in the provided postage paid envelope. We'll send you another selection from your rental queue, Keep your queue full and keep the mounts amongs.
	Paris   Paris

# U.S. PATENT NO. 6,584,450

	See Contention "How it Works", at http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmore
2. A method as recited in claim 1, wherein a total number of items provided to the customer within a specified period of time does not exceed a specified limit.	2. BLOCKBUSTER Online® offers "limited" rental plans wherein the total number of items provided to a customer every month may not exceed a specific limit. BLOCKBUSTER Online® offers a limited plan whereby BLOCKBUSTER Online® provides only 1 of the DVD titles selected by the customer at a time and only 3 DVD titles total per month.
	-Ghoose-a-Plan:
	Plan: Price: In-Store Benefits:
	C. 2 at a time. \$14.99 plus tax. **Bonus Offer * Unlimited rents per month FREE in store coupons
	* Bonus Offer * * Unlimited rents per month FREE in-stoke coupons 24-a-year!
	O 1 at a time limited \$7.99 pius tax REE in-store coupons 2 rent(s) a month
	http://www.blockbuster.com/acctmgmt/displaySubscriptionOffers.action?refId=blockbuster&cctr=homebutton
4. A method as recited in claim 1, wherein	4. See Contention 1.
the one or more item selection criteria	
more items that a customer desires to rent,	DVD unes uney desire to rent.